

# **ADVISORY COMMITTEE ON COMMERCIAL OPERATIONS OF CUSTOMS AND BORDER PROTECTION**

## **One U.S. Government at the Border Subcommittee Executive Summary – Trade Progress Report May 2014**

### **1. Background:**

The Advisory Committee on Commercial Operations of Customs and Border Protection (COAC) determined to carry on the work from the 12<sup>th</sup> Term COAC One US Government at the Border Subcommittee. The Mission of the Subcommittee is to implement the January 15, 2013 COAC 12<sup>th</sup> Term Recommendation:

*That CBP pursue interagency partnership programs following the principles and standards set forth in the One US Government Master Principles Document and progress toward completion can be measured via CBP reporting quarterly back to COAC on progress being made to implement programs that align with these principles, principally through the Border Interagency Executive Council (BIEC).*

**Trade chairs:** Mary Ann Comstock, Susie Hoeger

**Government:** Cynthia Whittenburg, CBP, Carol Cave – U.S. Consumer Product Safety Commission (CPSC), Vice Chair- Border Interagency Executive Council (BIEC)

### **Outline of Work**

The Subcommittee identified a number of activities supporting the President's Executive Order which outlines the implementation of the single window concept. They are:

- High level review of a side by side document containing the One USG Master Principles document for Imports and Exports.
- Import Mapping Exercise by modes of transportation: this is an important educational tool in the development of each agency's PGA Message Set.
- ITDS Implementation Work Group proposed to deal with high level policy and regulatory questions, leaving the details of implementation of the PGA Message Set to the Trade Support Network membership.
- Assist in developing a list of Frequently Asked Questions on the Single Window for both Imports and Exports.

### **2. Summary of Work**

#### **Comparison of Import/Export Master Principles Documents**

The subcommittee began this work with a side by side comparison document. After starting, the subcommittee suspended work on the project based on the information that the Border Interagency Executive Committee (BIEC) is developing a milestone/roadmap/flowchart

document that aligns with the Master Principles document. As no critical outcomes were assigned to this exercise it will remain suspended.

### **ITDS Board of Directors Engagement**

The 2013 ITDS Report to Congress was distributed to the full COAC at the last public meeting on February 22, 2014. COAC members continue to attend the ITDS Board of Directors monthly meetings. After review of the Report to Congress, COAC provided some comments about the PGA forms list contained in the appendix:

Of the 117 forms identified in the appendix:

- 24+ will accept data only
- 8-12 require foreign government forms that may not always be available to the trade
- 40+ require permit/license # AND data AND imaged form in DIS
- 18 have no data requirements, requiring a form in DIS
- 6 will accept conditional DIS images, dependent on whether data is transmitted

The COAC supports the use of data, as risk assessment targeting can be performed against data, but not against imaged forms. We believe DIS has a place in the implementation of ITDS, and DIS may be used as a stepping stone as an agency prepares to receive data.

The path forward will be through well-organized meetings with partner government agencies, CBP, the Trade Support Network (TSN), software developers, and appropriate trade stakeholders. The One US Government EPA Working Group successfully concluded its' work activity with the following model: 2-4 PGA members, 2-4 CBP members, 2-4 software developers, 2-4 importers active in the industry or industry segment, and 2-4 customs brokers.

Key elements in the process for success:

- Review the import process by mode of transportation;
- Identify the imported products required to be reported, preferably by HTS number
- Prepare a crosswalk of the PGA form against the PGA message set, with consideration for data definitions, data and forms collection (e.g. where and how the data is generated, when the data is available, who has the data or forms).

The successful single window implementation requires an open dialogue between all parties, including bi-directional education so all parties understand the following:

- Who owns and generates the data/form
- When is the data/form available in the import process and to whom
- How is the data/form transmitted, shared or carried through the supply chain
- What information is critical to the PGA and CBP, and are some data elements shared between the PGA, CBP and other PGA's
- Where will the clearance take place – at the port of arrival or the port of entry?
- Does the PGA have hold or detention authority on the product, and if so what are the steps in resolving a hold or detention.
- Will the PGA provide a 'data accepted' message at the time of entry release

## **Import Mapping Work Group**

An Import Mapping Work Group was formed, consisting of customs brokers, and COAC members with ocean and air carrier expertise. The work was divided up by the groups' expertise into 5 Mapping Exercises: Ocean Inbound; Air Inbound; Air Express Inbound, Rail Inbound and Truck Inbound. Each map will be accompanied by a narrative that further explains the import process from each party's perspective. Drafts for a number of modes have already been reviewed and will be finalized shortly.

## **2. Next Steps**

While no activity occurred in the last 90 days, the Subcommittee intends to continue its' work with the FDA Working Group at a strategic level. The FDA Working Group will engage FDA on numerous matters such as data and risk management, a trusted trader program, and automation advancements.

Now that the Import Mapping Process is near completion, we anticipate an ITDS Implementation Working Group will be engaged to address topics such as government to business to government messaging and information sharing, interagency messaging and information sharing, bi-directional training and policy issues. One activity slated for their focus is a Single Window FAQ's. Engagement with the BIEC is also planned in the future.

We conclude by reiterating our previous statement:

*It is imperative that the trade community and government agencies establish mutual understanding for the future of data exchange, engagement expectations and cooperate to achieve the appropriate risk based mitigation standards that secure cargo movement and facilitate trade at the speed of business.*